

No. 44810

IN THE
SUPREME COURT OF DELAWARE
1952 TERM

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FILED

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FRANCIS B. GEBHART, et al.,

Appellants,

vs.

ETHEL LOUISE BELTON, an Infant, by her Guard-
ian ad Litem, Ethel Belton, et al.,

Appellees.

No. 15

FRANCIS B. GEBHART, et al.,

Appellants,

vs.

SHIRLEY BARBARA BULAH, an Infant, by her Guard-
ian ad Litem, Sarah Bulah, et al.,

Appellees.

No. 16

ETHEL LOUISE BELTON, an Infant, by her Guard-
ian ad Litem, Ethel Belton, et al.,

Plaintiffs-Appellants,

vs.

FRANCIS B. GEBHART, et al.,

Defendants-Appellees.

No. 17

SHIRLEY BARBARA BULAH, an Infant, by her Guard-
ian ad Litem, Sarah Bulah, et al.,

Plaintiffs-Appellants,

vs.

FRANCIS B. GEBHART, et al.,

Defendants-Appellees.

No. 18

APPENDIX OF APPELLEES (PLAINTIFFS BELOW)
AND PLAINTIFFS-APPELLANTS

On Appeal from the Court of Chancery, New Castle County

LOUIS L. REDDING

JACK GREENBERG

*Counsel for Appellees (Plaintiffs below)
and Plaintiffs-Appellants.*

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[398] FREDERICK B. PARKER, called as a witness on behalf of the plaintiffs, being first duly sworn, testified as follows:

Direct examination by Mr. Greenberg.

Q. Dr. Parker, would you please state your full name for the record? A. Frederick B. Parker.

[399] Q. What is your occupation, Doctor? A. Professor of Sociology and Chairman of the Department of Sociology at the University of North Carolina—I am sorry, University of Delaware.

461 Q. Have you held positions at the University of North Carolina? A. Yes.

Q. Would you tell us something of your educational background, Dr. Parker? A. I earned my Bachelor's degree at Cornell University, my Master's degree in Sociology at the University of North Carolina, and my Doctorate in Sociology at the University of North Carolina.

Q. Have you conducted any particular studies in your field? A. Yes, I have published an article on the foreign stock in the population of the Southeast, a comparison between the stock there and that in the nation. Another contribution on the social control process in the modern technocological society. I have contributed a chapter to a textbook on people, personnel service, and have prepared a manual for the United States Armed Forces Institute.

462 Q. Do you hold membership in any professional societies? [401] A. Yes, American Psychological Society, American Psychological Association, Delaware Psychological Association, Alpha Kappa Delta, the Honorary National Psychological Fraternity.

Q. Do you have any other background that may be of interest to the court of this nature? A. Well, I have taught in several universities, if that is pertinent.

Q. Dr. Parker, you have heard the question which Dr. Lane answered, and rather than repeat the entire question,

assume I am putting it to you. What would be your answer to that question?

(The question referred to is as follows:

Q. Assume that in the State of Delaware there is a system of legally racially segregated schools; that a Negro child must attend a school for Negroes only, but that if there were no segregation he would attend a school not limited to Negroes only. Assuming further all other educational opportunities to be equal, does this enforced legal separation injure the Negro child?)

The Witness: My answer would be yes, that enforced segregation is harmful to the development of the personality of the segregated person. I should like to answer that as briefly as I may in terms of the effect of segregation upon the [401] child's or the person's concept of himself. Concept of self from point of view is the core of the personality, is a major determining factor of the individual's external and internal behavior. Internal in the sense of emotional reaction; external in the sense of social relationships with others. 464

This concept of self which the individual forms is the result of reflexive reactions to the attitudes of others toward him. In other words he is not born with a concept of self. It is acquired as he becomes socialized, and by this reflexive process. Moreover, the basic structure of this concept of self is formed during the early years of the person's life. 465

Now, enforced segregation in my opinion clearly implies a social definition of inferiority, and the malleable child, who is put into a segregated situation, naturally will develop attitudes toward himself that reflect those of society to him. That process is variously called the looking glass self, the inclusion of other self patterns, and the terminology depends upon the psychological school that you might belong to.

The effect of this definition of self in terms of social inferiority imputed by society is to lower the level of aspiration or motivation. It serves to induce the child to regard himself as incompetent, as irresponsible, as lazy, as [402] fitted for nothing but menial service in a society.

At the same time that the segregated child is subjected to these influences, he is also subjected to another set of formal and informal educational influences that are designed to inculcate in him the social values of our society, namely; equality of opportunity, the dignity of personality, the dignity of self, and so forth.

467 It is my opinion that the schism, the schizoid character that we see in the situation, has a damaging effect on the young person and leads to frustrations, tensions, aggressions, and hostilities of various kinds.

By Mr. Greenberg.

Q. Dr. Parker, you have described what in your opinion are certain harmful effects of segregation. From your knowledge of attitudes in the State of Delaware are you in a position to say whether the elimination of such segregation will or will not diminish those harmful effects? A. It would, in my opinion, based upon a study that we made recently at the University of Delaware, that the removal of such enforced segregation would reduce the damage done to the individual personalities, and if I might add—

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Q. Would you explain that, please? A. I might add that to the extent that a cross section [403] of the students at the University of Delaware represents the attitudes of the people in the State, I would offer the opinion that there isn't the resistance in the State to the integration of the two races in one educational system.

Q. Do you believe that this attitude on the part of the people who were surveyed reflects itself back on the Negro

Frederick B. Parker—For Plaintiffs—Direct.

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child in forming his attitudes, these frustrations and emotional things that you have described? A. I certainly do.

Mr. Greenberg: Cross-examine.

Cross-examination by Mr. Young.

Q. Doctor, in this study that you say you have made at the University of Delaware as to the receptivity of the people of this State to mixed schools— A. Yes.

Q. (Continuing) do you draw any distinction between education insofar as segregation is concerned on the college level and on the secondary school level? A. Not in basic principle I don't draw any distinction between the two.

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Q. In making that survey or study were the students asked about their opinion or attitudes with respect to the [403] removal or breakdown of segregation on the common school level, or generally? A. In this study they were not asked their attitudes toward the breakdown of segregation on the elementary or secondary school level. However, I recently conducted a smaller scale study at one of my other classes and put the question to them: Do you approve of admitting colored elementary students into the white schools? And also asked: Would you approve of admitting colored secondary students into the white schools?

In the first case the affirmative answer was 70% and in the second case 65%, the balance divided between "uncertain" and "no".

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Q. When was the test made? A. That was conducted a couple of days ago.

Q. How many are there in your class? A. There were 35 in the class.

Q. How many of those students are from Delaware? A. I would estimate about 70 or 75%.

Q. Do you know what part of Delaware they are from?
A. I would surmise they are drawn from all parts of Delaware.

Q. You are not sure about that? A. I am not sure. I don't have the breakdown on that.

[405] Q. Would you say, Doctor, that the segregation would be harmful to the Negro child's personality even if he were to attend a school superior in all respects to the school attended by white children? A. I would say yes.

Q. So that you then are of the opinion that segregation of and by itself, *per se* makes for inequality even though the school where the Negro attends is superior to that where the white child attends? A. That's correct.

* * * * *

[413] WARD I. MILLER, called as a witness on behalf of the defendants, being first duly sworn, testified as follows:

* * * * *

[434] *Cross-examination by Mr. Redding.*

Q. Dr. Miller, I think I understood you to testify that you knew nothing of the Claymont School? A. That's correct.

Q. So that you are not prepared to make a comparison between the Howard School and the Claymont High School? A. No. The only—

Mr. Young: Just a moment, I object. It is obvious that I directed this witness' attention to Howard High School and that there is no need to ask the witness whether he is prepared or not prepared to make a comparison, because it is not cross-examination.

The Court: The objection is overruled.

The Witness: All I would say is that I am well acquainted with Mr. Stahl and have a high regard for